## GARDINER FIGHTS JUDGES.

WON'T GIVE THEM A CALENDAR OR SAY WHAT CASES HE'LL TRY.

Lectures Them on His Constitutional Functions They Respond by Calling Calen-dars from the Clerk's Schedule, Mark Of Cases and Send Witnesses Rome. District Attorney Gardiner refused flatly yesterday to provide the Court of General Sessions with numbered calendars of cases to be called every morning, so that trial cases for the

day may be marked and the witnesses in other pases dismissed. The Judges made a rule last week requiring him to do this. In return he suppressed even; the calendar; he usually prints the Law Journal, and wrote the Judges long letter telling what a good District Attorner he is and saying:

The power to make rules for your own government and sonduct only exist where there is risdiction. In the courts for trial of civil actions, calendars are provided for by law. In the eriminal courts there are no calendars except the special one which the Warden of the city prison is required by law to make. No action te before a court for the purposes of a court until formally moved by an attorney. A defend-ant cannot move an indlement for trial nor somiel the District Attorney, as representing the State, to set an indictment down for trial before he is ready. The action is not, therefore, pending until moved. This is an elementary example of criminal jurisprudence founded in experience and wise public policy. Your notice that a so-called calendar will be called every trial day is an assumption of autherity to compel the District Attorney to subnit to your control the actions which he may purpose to try in advance of formally moving the same, a proposed course of procedure which the original court of King's bench in this State or the Oyer and Terminer or pres ept Criminal Term of the Supreme Court has pever ventured, and which, with full apprecia-tion of my responsibility to the people. I can-

not recognize.

He went on turther to tell the Judges that they could not make rules solely to control or limit the District Attorney in the exercise of his constitutional functions, and ended by saying. "I trust I shall not again have occasion

ing. "I trust I shall not again have occasion to call this to your attention."
Previous to going upon the bench yesterday the four Judges of the General Sessions held a meeting in their chambers and unanimously agreed to enforce the rule. They held that although the District Attorney says no calendar axists, nevertheless one does exist, for the reason that the District Attorney goes to the Clerk of the Court, asks permission to look over the indictments filed by the Grand Jury over the indictments filed by the Grand Jury and notifies over the indictments mied by the Grand Jury and Inter subprenas witnesses and notifies lawrers that a schedule of cases has been pre-rared. This schedule the Judges used in place of a calendar. Judge Bianchard was on the bench early in Part I, of the General Sessions and as soon as the court clerk rapped for order

bench early in Part I, of the General Sessions and as soon as the court clerk rapped for order he said:

"The l'eople against Harris Aaronson—is the ease ready for trial?"

"I desire to say," remarked Assistant District Attorney McClelland, "that immediately after the trial of the case before your Honor, I will move the case of Aanie White."

The defendant's "counsel in the Aaronson ease said that any day would suit him for a trial, and when Mr. McClelland said that the District Attorney was not ready to go on with that case. Judge Blanchard announced that he would take that case off the calendar and send the witnesses away.

He called a number of cases from the clerk's jist, and getting no satisfactory reply from Mr. McClelland, who said, usually. "The District Attorney does not move any case until the riose of the White case." he declared all the eases off the day's calendar and let the witnesses in some of the cases sent away, but his objection did not prevail.

The case of Annie White was the only new case tried. The same course was followed by Recorder Goff, who said to Assistant District Attorney Blake:

There has never been any disposition on

ease tried. The same course was followed by Recorder Goff, who said to Assistant District Attorney Blake:

There has never been any disposition on the part of the court to interfere with the privileges of the District Attorney. But the practice2of putting a large number of cases upon the printed calendar in the Law Journal every day and sending out a large number of subpoenas for witnesses and bringing a large number of members of the bar here, keeping them sitting throughout the day, usually, uncertain whether their cases will be called, and keeping a large number of witnesses in court throughout the day, every day, they being unable to learn whether they are to be called to the stand or not during the day, and calling a large number of policemen here has, in the opinion of the Judges of this court, largely continued to frustrate the ends of instice, and while it is recognized that the District Attorney has a legal right to move cases, and that the responsibility of moving is with him, still when a court of record makes a rule which pertains to the work of the District Attorney in court and the rule is a reasonable and justice, it does not interfere with the rights of

persons to the work of the District Attorney in court and the rule is a reasonable and just one, it does not interfere with the rights of the privileges of the District Attorney at all, but it simply insures more orderly admit.istration of the law, and it is for the just accommodation and for the benefit of the members of the bar."

of the bar."
In Part III. of the General Sessions Judge Newburger had a tilt with Assistant District Attorney Waish and in Part IV. Judge Me-Mahon an encounter with the prosecuting attorney. The second battle of the war will be fought to-day.

The Court Clark Witness to The Second Second

### WICKEDNESS IN CRANBURY.

The Rev. C. F. Taylor Sounds a Warning to Evildoers from the Pulpit.

NEW BRUNSWICK, N. J., March 13,-The Rev. C. F. Taylor has set the village of Cranbury, nine miles from here, agog by preaching a sermon from the pulpit of the Second Presbyterian Church there yesterday morning upon the text of the Seventh Commandment, "Thou shalt not commit adultery." He said that certain things had come to his ears which made him believe that Cranbury is not as free from aim selected interpretation of as free from this wickedness as it should be. He said that if the congregation did not undertake to stamp out certain cases of adultery which were going on among its members he would make it a personal matter and iprosecute the offenders. begon among its members he would make it a personal matter and iprosecute the offenders. There have been one or two cases of scandai talked about in the village for some time, but nobody professes to know just whom the pastor had in mind. The Rev. Mr. Taylor has only had hispresent charge for two years and it is his first charge. He was formerly an assistant rastor in Jersey City, and was once active in work in the slums of New York. Mr. Taylor announced that he and his wife would speak on thet same question at a mothers' meeting to be held on Tuesday night, March 21.

### DONALDSON'S DEATH ACCIDENTAL.

Coroner's Jury Hears That Every Precau-

Coroner Zucca and a jury inquired yesterday into the death of T. P. Donaldson, who fractured his skull last Wednesday while giving an exhibition dive from a roof girder in Madiaon Square Garden. Harry Cornish of the Enickerboeker Athletic Club testified that the water in the tank which received Donaldson was seven feet deep, and that every precaution was taken to avert an accident. The verdict was that Donaldson met his death by accident.

#### Racetrack Men Still Fighting the Jersey Anti-Gambling Amendment.

TRENTON, N. J. March 13.-The Court of Errors and Appeals heard argument to-day in the case of Bott vs. Wurts, Secretary of State, in which an effort is being made to have the constitutional amendment against gambling in New Jersey set aside as not properly adopted by the people at the special election held on Sept. 26, 1897. Alian L. McDermott appeared for the presecutors. He held that the act authorizing the election was unconstitutional, because it did not provide for ballots by which A beisen could vote for one or more of the three proposed amendments without voting for all of them. Attorney-General Grey, representing the State, held that the act in question was constitutional and the election legal, Aniway, he declared, the court could not go back of the return of the State Board of Canvassers. A decision will soon be handed down.

### St. Patrick's Day in Breoklyn.

St Patrick's Day in Brooklyn is to be cele brated by a parade of the various Irish societies, followed by a picnic at Ulmer Park and banquets by the St. Patrick Society, the canquets by the St. Patrick Society, the friendly Sons of St. Patrick, and the United Sons of Krin. John F. Dwyer will be Grand Marshal of the parade, the line of march for which will be from Cumberland street and Myrthe avenue, along Cumberland street, to Clinton, to Washington, to Sidney place, to Joralemon, to Ulaton, to Hemsen street, thence to Clinton, to Hemsen street, thence to Clinton which point trolley cars will be taken for Umer Park

#### The Wechsler Case

Henrietta Wechsler, the Brooklyn young woman who was found on Suider in a private woman who was found on Suitates, a private hospital in Manhattan, will not be remove: to her home for several days, etter-carries albert D. Smith is still in the Homosopathic flospital.

FIRE REVEALS A QUEER WORKSHOP.

Police Say It Is a Secret Still-Owner, Wh Says He Made Extracts, Locked Up.

As a result of a small fire in the cellar of the tenement at 146 West Seventeenth street gesterday afternoon the police arrested Frank Fritz and locked him up on the charge of being a suspicious person. Fritz occupies rooms in the house and also rents the rear of the cellar in which the fire started. He is suspected of running an illicit still on a small scale.

A tenant discovered the fire and called Policeman Helmke, who turned in an alarm. The fire was in what seemed like a woodshed in

fire was in what seemed like a woodahed in the rear of the cellar. To get to it the firemen had to force a radilocked door. The interior of the shedlwas filled with dense smoke. The only light came from a gas stove, burning at full force, which had evidently become overheated and had set fire to the woodwork. When the flames had been extinguished Battallen Chief Gooderson made an examination. On top of the gas stove he found a milk can filled with some liquid. In the lower performed the can was a faucet and the top ended in a funnel-like contrivance which tapered gradually until it was screwed on to a lead pipe. A dozen coils of this pips were fitted in a beer keg which stood on end near the stove, Strewn about the woodshed were a dozen demijohns and as many whiskey and beer bottles. The woodshed was double-boarded as if to deaden all sound and a window looking into the airshaft was securely boarded up.

The Internal Revenue officers were notified of Fritz's arrest and asked to take charge of his case. He told the police that he was going to manufacture extracts, such as vanilabut when he hired his cellar workshop he told the landlord that he was going to bottle beer.

### TO LIGHT WESTCHESTER COUNTY.

Company of Philadelphia.

The United Gas Improvement Company of Philadelphia, which company aiready controls the Yonkers gas plant, as well as gas plants in 142 cities in the country, including Philadelphia, proposes to branch out further in Westchester county. The Westchester Gas and Coke Company of Mount Vernon, which was incorporated at Albany on Friday with a capital stock of \$200,000, it was learned vesterday. was organized in the interest of the United Gas Improvement Company. The new company has applications pending

for franchises to manufacture gas in Mount Vernon. New Rochelle, Pelham and Pelham Manor. The company is ultimately to be consolidated with the Youkers gas plant under the title of the Weatchester Lighting Company. The consolidated company will take in the following electric light company will take in the following electric light company experiments electric light Company, which is operating electric light Company, operating plants at Port Chester and Pelham; Port Chester Electric Light Company, operating plants at Port Chester and Rye; Larchmont Electric Company, operating plants at Larchmont, Mamaroneck and New Rochelle, and the White Plains Gas and Electric Company, operating at White Plains.

Another Westchester lighting company was incorporated at Albany on Friday under the title of the New York Suburban Gas Company, It represents a consolidation of five Westchester gas companies now in operation, and it is stated to be entirely independent of the United Gas Improvement Company's enterprise. for franchises to manufacture gas in Mount

#### TABERNACLE WINS A POINT.

Need Not Show Its Books Before Trial to the Fifth Avenue Baptist Church.

A motion of the Fifth Avenue Baptist Church to compel the Tabernacle Baptist Church on Second avenue to allow an inspection of the Tabernacle Church books, in the action of the Tabernacle to recover \$3,800 stock dividends. was denied yesterday by Justice Beach of the Supreme Court. In 1891 the Tabernacle held a hundred years' lease of property adjoining should be surrendered to the Fifth Avenue John D. Rockefeller was to build a church built the house and gave certain stock of the Northern Pacific Railway Company in trust to the Fifth Avenue Bantist Church, under an agreement by which the income from the stock was to be paid to the Tabernacie to be used for certain church work. The complaint states that the railway company paid dividends of 5 per cent, for two years after the arrangement and then ceased to pay any dividends. Subsequently the railway got on a paying basis, but the Fifth Avenue Baptist Church did not resume paying dividends to the Tabernacle. The defence is that the Tabernacle has not lived up to its agreement, and did not, during the two years it received dividends, disburse them as the agreement provided.

In order to show how the dividends were disbursed the Fifth Avenue Baptist Church moved to compel an inspection of the Tabernacle books. The Tabernacle agreed to present its books for inspection by the defendant at the trial, but not before that time. Justice Beach holds that the inspection at the trial is sufficient. built the house and gave certain stock of the

Just as Magistrate Wentworth was about to eave the Essex Market Police Court yesterday morning for luncheon a young man and woman asked permission to see him. The woman

clung to the man's arm, giggled and bit her

finger nails. The man shifted his hat around in his hand uncomfortably as he said: "Please. in his hand uncomfortably as he said: "Please, sir. we want to get married."

"Why, with pleasure." said the Magistrate.

The man described himself as John T. Houkins of Troy. The woman said she was Bertha Banko, a servant, of 10 Second avenue. Hopkins was honorably discharged from the Seventh United States Artillery about ten days ago and went to live in the house where the girl was employed, and they fell in love with each other at first sight.

The Magistrate performed the ceremony in his private room. The bridegroom had no regular wedding ring, but used instead one made out of a horseshoe nail. Magistrate Wentworth refused to kiss the bride, remarking that he considered himself too oid. Clerk Merz gallantly took the Magistrate's place.

### Struck Jury Law Unconstitutional?

Congressman William D. Daly and Lawyer Joseph M. Noonan, counsel for James K Brown, who was convicted of the murder of Policeman Gebhard in Hoboken, have decided to take an appeal to the United States Supreme to take an appeal to the United States Supreme Court from the decision of the New Jersey Court of Errors affirming the constitutionality of a conviction for murder by a struck jury. The lawyers contend that the struck jury who lates the provision of the United States Constitution which guarantees equal protection to all citizens. A similar appeal will be made in behalf of Edward Clifford, the murderer of Superintendent William E. Wattson of the West Shore Railroad.

This Girl Had Been to McGurk's, Too. Benjamin Docktor, the proprietor of a Raines

law hotel at 504 Broadway, Williamsburg, was locked up last evening in the Clymer street police station on the charge of conducting a disorderly house. He was arrested on a wardisorderly house. He was arrested on a warrant issued by Magistrate Kramer of the Lee
Avenue Police Court on the strength of a statement made by Alice Keefe, the 15-year-old
daughter of Mrs. Ellen Keefe of itë Fourth avenue, Brooklyn. The girl disappeared on Washnigton's Birthday and was found last Thursdaynight in Docktor's hotel. She was placed in the
temporary care of the Children's Society and
to its agent said that she was lured from home
by a man who took her to McGurk's dive on the
Bowery. Last Wednesday she was sent to
Docktor's place.

Royal Blue Line Conductor Killed. Samuel B. Hudnut, conductor of the Royal Blue line east-bound express train on the Central Railroad of New Jersey, was killed Central Railroad of New Jersey, was killed early yesterday morning while the train was passing through Bayonne. A hot bex had developed on one of the forward trucks of a passenger coach when the train was speeding through Union county. When the train swept by the West Eighth street station, in Bayonne, the conductor awung himself down the steps of the car to watch the hot box. Just then the train dashed across the bridge over Linnet street, and his head struck one of the fianges of a steel bridge support. He was killed instantly.

#### A \$10,000,000 School Furniture Company. THENTON, N. J., March 13.-The American school Furniture Company was incorporated

here to-day with a capital stock of \$10,000,000. The company will manufacture all kinds of school and church furniture. The incorporators are Samuel B. Lawrence. Robert P. Barry. Jr.. John B. Summerfield, George E. Spencer. Henry M. Haviland, Henry C. Everdell, Armitage Mathews and Leavitt J. Hunt, all of New York, and James C. Young of Jersey City. Why Does The Sun

that it is especially adapted to do your ad-

### A CORNER IN JACK TARS.

WAGES ARE \$30 A MONTH, NEARLY DOUBLE THE OLD.

Shipping Masters and Boarding-House Keepers Have Corralled the Men, and, as the New Law Allows Creditors Not More Than a Month's Pay, the Pay Goes Up. For the first time in the history of the Amercan merchant marine, so the shellbacks say,

native, have gone up to \$30 a month. The shipowner didn't raise them because he wanted to: he was forced to by a combination of shipping masters and boarding-house keepers, the proverbial enemies of the man before the mast,

It came about through the enforcement of the new United States law prohibiting the shipping master, boarding-house keeper, or any one else to whom Jack might owe money from getting in advance, by hook or crook, more than the amount of his wages for one month. Naturally, the shipping master, who gets Jack his job for a consideration, and the boarding-house keeper, who keeps Jack while he is idle ashore for a larger consideration, did not like the law. But they didn't see how they could get more than Jack's first month's wages, which, when the law went into effect a few weeks ago, were \$18. Now, \$18 is not much money in the eyes of men who have been in the habit of absorbing from \$40 to \$50 of Jack's pay before he sails. The only way to get more advance money was to raise Jack's wages, and the shipping masters and boardinghouse keepers, assisted by their "runners," de cided not to furnish any sailors at less than

\$30 a month. The American ship Emily F. Whitney, which sailed for Honolulu on March 6, was the first vessel to get away with a crew shipped under the new law. They signed articles secretly and went down the bay to the ship surreptitiously. Agents of shipping masters and coarding-house keepers, on a tug, vainly tried to induce the sailors to quit. The men had signed for \$20 a month and didn't give up a ent to anybody

Since that event the shipping masters and coarding-house keepers have cornered practically all the sailors in the market, have fed them high and have hinted that it was only a

tically all the sailors in the market, have felt them high and have hinted that it was only a question of time, when they would be multimillionaires, or, at least, owners of yachts. Jack became as happy as a clam at high water. Representatives of the ship owners or the skip pers of the ships came to Jack and offered him \$20 a month and rium duff every day if he would only step aboard. Jack smiled and said he could get \$30. Would he make it \$22.50—and plum duff? No, he wouldn't. It must be \$30 or nothing.

Meanwhile ship owners were looking around for able seamen. The Yankee ship John R. Kelley, Capt. Chapman, had her eargo stowed and was ready for sea on Saturday. All she needed was a good crew to take her on her long voying to San Francisco. But her agents here, J. W. Elwell & Co. of \$7 South street; and her skipper were unable to get a single A. B. So they appealed to the shipping masters.

Joseph Jenks immediately offered twenty-four fars. They signed before Shipping Commissioner Joseph M. Jiekey for \$50 a month and went aboard the Kelley at Pier 13. East River. She sailed vesterday. The allotment notes of the seamen were signed by the Commissioner and were to various persons. They covered Jack's wages for one month. Even with this reduction he will be entitled to about \$25 after reaching San Francisco.

The new law permits a sailor going to foreign ports to therwise than the Dominion of Canada, Newfoundland, West Indies and Mexteol and from an American Atlantic port on an american Pacific port or vice versa, to "allot au amount not exceeding one month's wages to an original creditor in liquidation of any just dobt for board or clothing which he may have contracted prior to engagement."

which he may have contracted prior to engagement."

The shipowners think the defect in the new law is its failure to specify the amount of the allotment Jack may make. This is what has enabled the shipping masters and boarding-house keepers to force the shipowners to pay the unprecedented wages. The owners think that if the law had limited the amount of the allotment to \$20 Jack might have shipped for that money. Another cause of Jack's good fortune is the scarcity of able seamen, due largely to the needs of our Government transport service. It is said that there are about 2,000 sallors, who formerly served on American merchant ships, among the large crews of the transports. They get \$25 a month and are well fed and well treated.

Other sulling ships that will be looking for crews soon are the Josephus, to sail for Shanghat the Cyrus Wakefield and Charles E. Moody, to sail for San Francisco, and the Gov. Robie, to sail for Hong Kong.

sail for Hong Kong.

Some of the Sailors Getaway.

The Captain of the bark Francis Hampshire, now lying off Staten Island, appealed to the harbor police last night for protection from boardinghouse runners who, he believed, were going to try and capture the men he had engaged for his outbound trip beginning to-day. He said that he had eleven men for his crew, and they were going to go aboard a Daizell tug at an East River pier. The police promised ample protection. ample protection.

BROKE INTO A POWER HOUSE.

Eleven Masked Men Bind and Gag Three Employees and Rob the Safe

ELMIRA, N. Y., March 13.-At about I o'clock this morning eleven masked men, all carrying revolvers, broke into the power house of the revolvers, proke into the power house of the Waverly and Athens trolley road at Waverly, N. Y., and bound and gagged three engineers and firemen. The burgiars then blew onen the company's safe and secured \$120 in money. The three employees were released after one of them had worked loose from the ropes which bound him.

### The O'Donnell Murder Trial Begins.

The trial of Thomas O'Donnell for murder in first degree was begun before Supreme Court Justice Stover, in Brooklyn, yesterday The jury was secured, and Assistant District Attorney Emerson will begin the prosecution this morning. O'Donnell lives with his mother this morning. O'Donnell lives with his mother and sister at 145 Conover street. On Oct.17 Peter Masino, an Italian, broke into Mrs. O'Donnell's apartments after Mrs. O'Donnell and her daughter had retired, Masino attempted to choke the daughter, but the screams of Mrs. O'Donnell were heard, and the neighbors ran to the rooms just in time to see Masino crawl out of the window and disappear down the fire escape. The next night young O'Donnell met Masino and shot him through the head.

Salt Water Pishermen to Hold a Mass-

The Protective League of Salt Water Fisher men will hold a massmeeting at German-American Schuetzen Hall, 12 St. Mark's place, on Thursday night, at 8 o'clock. The object of the meeting is to discuss the ruining of the the meeting is to discuss the Friding of the fishing banks about New York by the pollution of the water and net fishing at the inlets of rivers and bays, and to propose beneficial legislation. Among the speakers will be Eugene G. Blackford, J. J. O'Connor, Thomas Reilly, Alfred Rogers, M. S. Newcorn, Dr. E. H. Merritt, George C. Austin, Henry Taxter, Augustus Collier, T.-J. Conroy, Daniel J. O'Reilly and J. N. Bogart.

Canalboats Can't Have the Piers Exclusively The application of Melvin De Puy in his own behalf and that of other canalboat men to re-strain the Dock Commissioners from lessing Piers 3 to 8, East River, except for the use of canalboats, has been denied by Justice Russell of the SupremelCourt. The Judge says that, while the waters about these piers are saide for the use of canalboats, it would be an extreme exercise of judicial power to say that when the wharves may not be needed by canalboats the Dock Commissioners cannot allow other boats to use them. The New York Central and Hudson River Railroad Company and the New York Central Lighterage Company received permission from the Dock Commissioners to land there. canalboats, has been denied by Justice Russell

Two More New Jersey Corporations. Articles of incorporation of the Pneumatic Fire Alarm Company were filed in County Clerk Fisher's office in Jersey City yesterday. The capital stock is \$1,100,000 and the incorporacapital stock is \$1,100,000 and the incorpora-tors are Albert Goldstein and Max Radt of this city, Bernard Ewing of Newark and J. V. Bon-vier of Nutley, N. J.

The Noonday Yeast Company, with a capital stock of \$1,000,000, filed articles of incorpora-tion yesterday in the County Clerk's office in Jersey City. The incorporators are Richard B. Sutler, John C. Heald and Edmund A. Conrad, all of Cleveland, O.

A Coachman Gives \$28,000 to Charity. Boston, March 13.-The will of James Keough, who died in January, was filed to-day. By its provisions \$28,000 is left to charitable institutions. Keough was a coachman in the family of Martin Brimmer, and made his money by real estate investments.

Disposition Made of Condemned Animals The Use of Chemicals Denied.

CHICAGO, March 13.-Major Lee, who repre sents Gen. Miles in the investigation concerning the quality of the beef furnished to the army last year, succeeded to-day in bringing out the admission before the court of inquiry that this was not the first time that complaints had been made of Chicago canned beef During the examination of Superintendent Charles H. Emery, of Libby, McNeill & Libby. Major Les asked, "Did any Government ever complain of your canned beef?" Mr. Emery replied that four years ago the British Govern ment returned some of the firm's beef because it was not up to the standard. E. J. Tilden treasurer and one of the directors of the same firm, also admitted that part of the beef shipped firm, also admitted that part of the beef shipped by the firm to Camp Alger was inferior to the canned meat generally sold by the firm.

Dr. George Lyte, assistant inspector of animal industry at the stock yards, was examined closely by Col. Davis regarding the disposition made of condemned animals.

"Have you any knowledge that bad beef was removed after it had been placed in the tank?" he was asked. The witness said he had not.

Major Lee wanted to know how long the bad beef was left. In the tank.

"About twelve hours, usually," was the reply.

"Can you state positively what disposition is made of this condemned meat after it goes into the tank?"

the tank?"
The inspector replied that he could not say positively.
"Then the beef is not watched during the remaining twelve hours by inspectors?"
"No, sir."
"I sthe door locked?" asked Major Lee.

"Is the door locked?" asked Major Lee.
"I cannot say."
"It solds had been used any time in that twelve hours you would have no way of knowing it, would you?"
The witness admitted that he would not.
"That's all," concluded the Major, smiling.
Beef Inspector A. Edison was asked if it, would be possible to extract bad beef from the tanks. He replied that it would, and he also said that he had often seen borax in the hog houses.

said that he had often seen borax in the hog houses.

Dr. Charles A. McNiel, inspector at Nelson Morris & Co.'s plant, and James C. Morrow, assistant superintendent at Libby, McNeill & Libby's, testified that no chemicals were used in the cooking or canning of beef, and Arthur Mecker, general manager for Armour & Co. 8. 8. Conway, general superintendent, and F. H. T. Walton, superintendent of the canned beef department of the same firm, testified to the same effect. Mr. Mecker said that Armour & Co. had supplied 19,000,000 pounds of canned beef to the French Government since 1814, and that less than one-third of 1 per cent, of the goods had been returned, in each case because of defective cans.

#### WOMAN SNEAK THIEF CAUGHT. Carried Twelve False Keys in Her Stocking

-Locked Up for Burglary. Mrs. Lena Leopold of 363 South Fourth street, Williamsburg, found a young woman in her flat yesterday when she returned from a truder, but the latter broke away and ran down the stairs. Mrs. Leopold started in pursui and caught the fugitive. A policeman arrested the woman. He also arrested a man who was on the opposite side of the street. The prisoners were taken to the Bedford avenue police station, where the woman gave her name as Elizabeth Lopato. She declined to tell where she lived. The man said be was John Fried-man, 23 years old, of 76 Chrystie street, Man-

man. 26 years old, of 76 Chrystie street, Manhatian.

When the woman was searched two diamond rings and a gold watch and pin, valued at \$150, were found in her pocket and twelve false keys in her stocking. Mrs. Leopold said the jewelry had been stolen from her flat. In the many possession were found a gold watch and chain, a diamond horseshee pin, one silver watch, a gold ring, one marquise diamond ring, and three pocketbooks. The woman was locked up on a charge of burglary. The man was held on suspicion of larceny.

### FATHERLESS GIRL INCORRIGIBLE.

Turned Over to the Police by Her Widowed

Mrs. Sophia Breslin of 304 Eighth avenuast night caused the arrest of her daughter Emma, 18 years old, as incorrigible. The girl's father died about seven months ago. He was a member of the Pequod Club and a well-known Tammany Hall worker.

Soon after her father's death the girl ran Soon after her father's death the girl ran away to Coney Island, where she lived for three weeks with a "strong man" named Goldstein. She returned home, but three months ago again ran away and lived with Goldstein in Philadelphia until two weeks ago, when he came to New York to accept an engagement in a Bowery museum.

The girl returned home, but her actions caused continual family quarrels. Two nights ago she took her sister, who is two years younger than herself, out with her, and they remained away all night. Then Mrs. Breslin determined to call in the police.

The wayward girl was locked up in the West Thirtieth street station.

SKULL BROKEN WITH A POOL BALL. with Two Customers.

Carmenia Balba, 35 years old, proprietor of a saloon at Marion place and Westside avenue Jersey City, was assaulted vesterday afternoon by two of his Italian customers, and is in the City Hospital with a fractured skull and in a critical condition. The men, who were strangeritical condition. The men, who were strangers to Balbo, were playing pool and got into a dispute with him about payment for drinks. One of them hurled a pool ball at him and it struck him between the eyes, knocking him down. The other beat him on the head with the butt end of a cue. Then they ran out of the saloon and disappeared. About two hours later Pietro Ferrara was picked up at Palisade and Newark avenues and was identified as one of Balbo's assailants. He is held to await the result of Balbo's injuries.

#### BEGGAR WITH RICH RELATIVES. says He Works When He Can and Doesn't Want Help from Them.

Detective Flynn of the West Thirtieth street station arrested a man who asked him for alms, on Thirty-ninth street, near Fifth avenue, last night. At the station house the prisoner said he was William J. Meserole. He gave a lodging house as his address.

"I'm a cousin of J. V. Meserole, the banker "I'm a cousin of J. V. Meserole, the banker of Brooklyn, and a cousin of Archibald Meserole Bliss, the former Congressman of Brooklyn," said the prisoner when he gave his pedigree. "Why don't you get your relatives to help you instead of begging in the streets?" asked Sergeant Conboy.

"Because I don't want their help," said the prisoner. "When I can get work I work, and when I can't I shift for myself."

He was locked up.

### Pushcart Men's Storage House Robbed.

Frederick Goshen was seen wheeling a push art through Hester street at 4 o'clock yester day morning by Detectives Cohen and Smith of the Eldridge street station. The large amount of underwear on the pushcart aroused the suspicions of the detectives and they ar the suspicions of the defectives and they ar-rested him. Later they learned that the build-ing at 13 Orchard street, used by pushear men as a storage place, had been entered and \$250 worth of underwear, owned by Hyman Munbrus of 53 Orchard street, had been stolen. Two other men were seen loading on an ex-press wagon all of the stolen goods that Goshen had not had on the pusheart. In the Essex Market Police Court all three were re-manded until to-day as suspicious persons.

#### "Red" Dugan Gets a Beavy Sentence. Thomas, alias "Red" Dugan, who was tried the General Sessions Court in Jersey City or assault, with intent to kill, on Mrs. Salom Petersen, wife of the Rev. J. C. J. Petersen

pastor of the German Lutheron Chusch in Wayne street, was convicted yesterday and sourceed to seven years in State prison and \$2,000 fine. While robbing Mr. Petersen's house Dugan shot at Mrs. Petersen with a revolver, and narrowly missed killing her. He is already under sentence of three years in State prison and \$1,000 fine for stealing her pocketbook and money.

#### Trolley Car Struck by Lightning. NEWBURG, March 13 .- A car of the Newburg

and Orange Lake trolley line was struck b lightning last night near Sandez's switch. Twenty persons were in the ear, but, strange to say, none was injured. A farmer said that he had seen a ball of fire strike the trolley wire and chase the car. The car was "burned out." and the iron work was so hot that the hand could not be held to it. The iron dashboard had a loie melted in it, and a relief car from the city had to be sent out to bring the disabled car is.

## Higher Pay for Puddlers.

Harrisburg Rolling Mills have received notice of an advance of 25 cents a ton on and after April 1. Other employees of the mill will receive an increase in wages in proportion.

### ARE UNDER CROKER'S BAN.

ASSEMBLYMEN ACCUSED OF INFAD-ING HIS MONOPOLY.

He Arraigns Fitzgerald and Redington and Says That If They've Been Dickering with Crimmins's Astoria Gas Company They Must Get Out of His Tammany Hall.

The members of the Tammany Executive Committee were summoned by telegraph to a special meeting yesterday, called to consider the conduct of Assemblyman John B. Fitzgerald of the Twenty-fourth Assembly district, a member of the Assembly Committee on Gas. Electricity and Water Supply, and of Assembly man Lyman W. Redington of the Thirty-fourth district, both of whom are under suspicion on secount of their attitude toward the Astoria Gas, Heat and Power Company's bill. Fitzgerald and Redington are charged with favoring the adoption of the bill, and the further charge is made that Fitzgerald voted for a favorable report out of committee. As "war on corporaions" and "cheap gas "are planks of the Tam many platform, and in view of the report that these two Tammany statesmen had a number of friends in the third house at Albany, peremp ory action was decided upon by Mr. Croke That's the reason given in Tammany Hall frown on all deals not arranged by himsel with the corporations concerned.

Most of the members of the committee wer on hand at the meeting, including Presiden Holahan of the Board of Public Improvements, the leader of Fitzgerald's district, and Park Commissioner Moebus, leader of the Thirt fourth. Mr. Croker made a short speech. He said that he had been informed that Fitzgerald and Redington were in favor of the Astoria

"If they are in favor of it," said Mr. Croker, they have betrayed the people who elected them and the principles of the Democratic party, which is opposed to all monopolies and trusts, and is in favor of a reduction in the price of gas. I suggest that the leaders of the districts which these Assemblymen represenbe instructed to investigate the conduct o these men, and if the charges made against them are sustained, they ought to be expelled from the organization. Certainly their con-duct, if what we hear is true, is very sus-

duct, if what we hear is true, is very suspicious.

Mr. Croker's remarks brought on a general discussion, in which nearly all the members of the committee took part. Mr. Holahan and Mr. Moebus both said that the Assemblymen were, so far as they knew, faithful adherents to the principles of the organization, and that neither of them had ever before been suspected of harboring any but orthodox sentiments in regard to trusts and monopolies. Mr. Holahan pointed out that Fitzgerald, who is an ice dealer, had served faithfully in the organization for years, and had represented the district in the Assembly in 1835, 1836, 1897 and 1838. During that time he had not been accused of unfaithfulness, and Mr. Holahan was strongly of the opinion that the suspicion now attaching to him would be found to be without foundation.

of the opinion that the suspleion now attaching to him would be found to be without foundation.

Mr. Mocbus said that he didn't think that Mr. Redington could be guilty. Mr. Redington was born in Vermont, it was said, and had joined Tammany on his arrival in this citya lew years ago. He is a lawyer, and served in the Assembly in 1888. During that term he did not show any tendency to side with the plutoerats and monopolists, but stood firm on the platform of Tammany Hall.

Messis, Holahan and Moebus agreed that if the charges against the Assemblymen were sustained no punishment could be too severe. Like the other members of the committee, they believed that any person favoring the granting of the privilege asked by the Astoria Company should be dropped from the organization. The further serious charge that Fitzgerald and Redington were on terms of intimacy with the lobby was discussed by half a dozen speakers, who repeated tales they hal heard, and the committee decided unanimously that these accusations were serious enough to warrant investigation.

The method of investigating the charges was left to Messrs. Holahan and Moebus. They will take whatever steps they think necessary in order to prive or disprove the charges. It is expected that they will get to work at one, so that Fitzgerald and Redington may be bounced from the organization or cleared of the charges before the Legislature adjourns.

The committee voted to recommend exJudge tieorre M. Van Hoesen as a successor to the late Augustus W. Peters as Chairman of the General Committee.

### BANK'S CENTENARY.

Managers of \$1,750,000,000 of Money In terests Will Meet at This Dinner. Invitations were sent out yesterday by the Bank of the Manhattan Company to a dinne at Sherry's on the evening of April 3 to cole brate the bank's centennial. The invitation went to the sixty-four Presidents of the banks went to the sixty-four Presidents of the banks in the Clearing House, to the Presidents of the local savings banks and trust companies, to Gov. Rossevelt and to the State Treasurer and Comptroller and to the Superintendent of the Banking Department. About 100 guests altogether are expected to attend.

It was enleulated yesterday that the money interests that will be represented at the function will approximate \$1,750,000,000.

### CHARGES ON COUNTRY CHECKS

Schedule Adopted Unanimously by the Clearing House Association.

The Clearing House Association adopted unanimously yesterday the schedule of charges to be made for the collection of out-of-town checks. A date when the rules will go into operation will probably be set this week. Some of the bankers have expressed the fear that trust companies which will collect without charge will get business away from the banks. The Astor National Bank was admitted yes-terday to membership in the association.

### St. Agnes's Church Struck by Lightning

During Service. GREENPORT, L. 1., March 13,-Lightning struck St. Agnes's Catholic Church during the thunderstorm last night while services were being held, and the plaster ceiling began to fall. Many women and men in the congregation became frightened, and their screams come near causing a nanie. Father Farrelly was conducting the services, and he finally succeeded in quieting the congregation. An inspection showed that the lightning had struck the spire of the church and from there ran along the ceiling, destroying it, and passed out of the south end of the church. After order had been restored the services were continued, and at their end Father Farrelly offered a prayer of thanksgiving that no further damage had been done and that all of those present had escaped injury.

### A Brooklyn Industrial School Damaged by

Fire was discovered in the cellar of Indus trial School 6, at 101 Steuben street, Brooklyn. yesterday afternoon, and before the flames were extinguished caused a damage of \$3,000. The flames extended to the frame building adjoining, causing a damage of \$500. The fire was the result of throwing hot ashes in a barrel in the cellar.

Detective Sergeant Evanhoe Retired. Detective Sergeant Frank A. Evanhoe, who has been in the Central Office at Police Headquarters since Byrnes was Inspector, was re-tired yesterday on a pension of half pay, amounting to \$1,000 a year. The reason for his retiring was an increasing weakness in eye-sight.

Scott's Emulsion of Codliver Oil with Hypophosphites is pure and palatable.

For years it has been used for coughs and colds, for consumption, for those whose blood is thin or colorless, whose systems are emaciated or run down.

For children it means health and strength, stronger bones and teeth, and food for the growing mind.

Baby gains in weight and thrives when Scott's Emulsion is added to its milk.

SCOTT & BOWNE, Chemiats, New York.

Agonizing and Weakening DYSPEPSIA.

By Stimulating the Action of the Digestive Organs and Freeing Them of the Impurities by which They are Encumbered. KUTNOW'S POWDER GIVES SPEEDY AND PERMA-NENT RELIEF.

SAMPLES FREE.

Nothing wrecks the constitution and causes permanent ill-health more quickly and surely than the various forms of Dyspepsia. When the food is insufficiently

SAMPLES FREE.

digested the body is insufficiently nourished, and, in that case, the waste in the brain, nerves, tissue, and muscle is not replaced, and the entire system is in the same condition as that of a person suffering from partial starvation. Every effort involves more or less pain, and every day's work represents so many hours of misery.

There is only one safe, certain and pleasant way to obtain permanent relief from Dyspepsia and the various other ills it produces, and that is in the use of KUTNOW'S Improved Effervescent POWDER. After a few bottles of Kutnow's Powder the food is fully digested, the body properly nourished and new strength, vigor and health are bound to follow.

Kutnow's Powder has a healing, cleansing and strengthening effect on all the digestive, assimilative and excretory organs, neutralizing acidity, increasing nutrition, purifying the blood, restoring lost appetite, dispelling languor and low spirits, and enabling those that use it to work harder, sleep sounder, and enjoy life

# Analyzed by Prof. R. A. Witthauss

NEW YORK, March 8, 1899.

R. A. WITTHAUS,

Messrs. Kutnow Bros.

Gentlemen: In justice to you I will state that my analysis of your powder, made in the course of an investigation of a recent case of alleged poisoning in this city, has shown it to be free from any poisonous or deleterious substance. Nor is its composition such that any harmful product could be generated in it without addition of some foreign material. Yours very truly,

The Institute of Chemistry, Pathology and Bacteriology. Samples Sent Free and Postpaid.

Since the last six years our European and American houses together have sent out over three million free samples to sufferers all over the world, which brought us thousands of letters praising the value of our Powder in the highest terms. In order to demonstrate to the public the great merits of Kutnow's Improved Effervescent Powder, we will send a sample of the same free and postpaid to every adult applicant who names this paper when writing within a week from date.

Sold by all reliable druggists. Positively refuse substitutes; they are worthless, American Proprietors: KUTNOW BROS., Ltd., 13 Astor Place, New York City. European Proprietors: S. KUTNOW & CO., Ltd., 41 Farringdon Road, London, E. C., Eng

OBITUARY.

save enough from the wreck to live comfortably. Isaiah Washburn, who was Tarrytown's oldest resident, died at his home at 14 Neperanroad on Sunday afternoon, in his ninety-second year. He was born in the town of Ossinning in 1807. His family moved to Huntington, L. I., when he was young, and they owned a large farm there. Mr. Washburn gave up farm life and opened a livery stable in Brooklyn and remained there until thirty-one years ago, when he went to Tarrytown. He was a trustee of the Westehester County Savings Bank. About four weeks ago he had a stroke of anoplexy. A widow and a brother and sister survive him. Daniel Crichton, a leading business man and

widow and a brother and sister aurvive him.

Daniel Crichton, a leading business man and Republican politician of Syracuse, died yesterday from injuries received by a fall from an upper story of the Crichton block in Syracuse. He was 75 years old. Mr. Crichton was born in Dundee, Scotland, and came to America in 19470. He was a student of politics, and in 1846 did good work on the stump for McKinley. He was a candidate for United States Consulat Dundee, but was not successful. He twice declined nomination for the State Legislature, He leaves a wildw and one daughter. Mrs. Robert Somerville.

Frank H Johnson died of heart disease in

Robert Somerville.

Frank H. Johnson died of heart disease in Warsaw, N. Y., yesterday after a brief illness. He was known as the father of the "cold storage" scheme for circumventing the Raines liquor law in no license yillages, where a nearby town voted to issue liquor tax certificates. For two years he has made Warsaw a "wet town, despite the efforts of the District Attorney and the State Commissioner of Excise to stop the traffic. He was fined \$1,000 at Batavia last week by Justice Laughlin for failure to pay fees for putting an old case over the term.

term.

Edwin B. MacGrotty, a veteran of the civil war and since an efficient clerk in the Treasury Department, died at his home in Washington or Saturday night, aged 71. He was a native of Maine, but went to California in 1840, where he participated in the stirring events attending the gold fever. Mr. MacGrotty was prominent in Masonic circles, being a member of the thirty-third degree.

School.

John S. Cooke, President of the Cooke Brewing Company of Chicago, is dead. He was born in Ireland in 1838, came to America when 14 years old, and was first employed in Chicago in one of the packing houses. At his death he was worth \$2,000,000.

Quigg Working for the Police Bills.

Chairman Quigg of the Republican County

Rollin M. Squire, for a short time Commissioner of Public Works of this city, died in his apartments in the Kensington, 449 Park avenue, on Sunday evening. He had been convalescent from pneumonia, and died in a relapse. Mr. Squire was born in Springfield, Vt. 63 years ago. He had led a varied and adventurous life, having been a lawyer, an editor, a politician, an officeholder, a miner, a promoter, and a spiritualist. In Chester, Vt., he was a schoolmate of Franklin Edson, and when Edson became Mayor of this city Squire was made Commissioner of Public Works, after he had signed a written undertaking to put his resignation and the patronage of his office in the hands of Maurice B. Flynn in return for the votes of County Democracy Aldermen for his confirmation. As Commissioner he was the author of some temporarily celebrated Tuesday, March 14th.
Corsets. the votes of County Democracy Aldermen for his confirmation. As Commissioner he was the author of some temporarily celebrated verses with which he ornamented the front of the City Hall when the city put on mourning for Gen. Grant's funeral. In 1893 Mayor Grace removed him. He was once editor of the Spiritualist Banner of Life. He leaves a widow.

M. Secretan, founder of the Société des Métaux and chief agent of the famous copperring of 1888, died on Sunday in Paris. In February, 1888, M. Secretan formed a French syndicate with the purpose of raising the price of copper, which was then unusually low. The syndicate successfully established a monopoly and had everything its own way until March of the following year, when it suddenly came to drief through a series of wild speculations which M. Secretan had made in copper. It soon became necessary for M. Secretan to soll most of his personal property at public auction. His tapestries, china and articles of virtu brought him enormous prices. Some of his pictures were also sold; seventeen of them were afterward taken to London, where they brought him nearly \$150.000. He contrived to save enough from the wreck tolive comfortably. Issiah Washburn, who was Tarrytown's oldest regident died at his home at 14 Nepersen. bias cut, in white and ecrusizes 18 to 26, \$2.45. C. P. Corsets, in white, grey and black, sizes 18 to 30,

98 cts.

Lord & Taylor.

Broadway & 20th St.

CONSOLIDATED SMELTERS. of Concerns Taken In-Directors of the

Big Pipe Combine. These are the smelting concerns that the \$65,000,000 combine proposes to absorb: United Smelting and Refining Company, Omaha and Grant Smelting Company, Pueblo Smelting and Refining Company. Colorado Smelting Company, Hanauer Smelting Works. Pennsylvania Lead Company, Pennsylvania Smelting Company, Globo Smelting and Refining Company. Bi-metallic Smelting Company, Chicago and Au-rora Smelting Company, Chicago and Au-rora Smelting Company, Germania Lead Works, or in lieu thereof, all the stock representing the same, and also a majority of all the stock of the Consolidated Kansas City Smelting and Re-fining Company.

The United States Cast Iron Pipe and Foundry Company will formally assume con-trol and direction of its constituent plants this week. Its directors are: Samuel Thomas, Col-gate Hoyt and eleven representatives of the consolidated companies. Mr. Hoyt, it is stated, will represent the Rockefellers' large interest. Hanauer Smelting Works, Pennsylvania Lead

# For All Disorders

of the stomach, liver and kidneys, the natural Carlsbad Sprudel Salt is without equal. It is of the thirty-third degree.

Frank C. Willeox, a Newark lawyer, who was City Counsel at one time, died at his home in East Orange on Sunday, after an illness of twenty-four hours, from acute Bright's disease. He was 44 years old, and was born in Bridgeopt, Conn. He leaves a widow and two children. He was a scholar in the Newark Academy, and was graduated from Yale College, afterward taking a course at the Columbia Law School. especially beneficial for chronic constipation, gouty and rheu-

matic affections, diabetes, etc. Mr. Andrew Anderson, of Holdrege, Neb., writes: "I have tried the Carlsbad Sprudel Salt. and find it the best remedy I ever tried for indigestion and chronic constipation, from which I have suffered for about twelve

years. ommittee went to Albany yesterday to make The genuine imported Carls another attempt to get into line the Republican egislators who have refused to support the bad Sprudel Salt has the signa-Police bills. The County Committee at its last meeting indorsed the proposed police legislation, and Mr. Quigg appointed a committee to express the views of the organization to the law makers. Since that time he has had several conferences with Gov. Roosevelt and has used the strongest arguments at his command to induce all of the Republish members of the Legislature to aid in the passage of the bills.